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FACSIMILE COVER SHEET

	Deliver to:	Williams, Catherine Serke, U.	ISPTO Art Group:3763						
Facsimile No.: <u>703-872-9306</u>			Date: September 13, 2004						
	From:	William Thomas Babbitt, Reg. No. 39,591							
Our Docket No.: 3764P002			Number of pages including this sheet.						
Appli	ication No.:	09/475.768	Filing Date: 12/30/1999						
• •			Docket Due Date(s): 9/11/2004						
Enclosed are the following documents:									
×	Amendment:	Response (_2_pgs)	☐ Issue Fee Transmittal						
	Appeal Brief	(in triplicate) (pgs)	☐ Notice of Appeal						
	Application:_		Petition for:						
	`	(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)						
	Assignment	& Cover Sheet (pgs)	Reply Brief (pgs)						
	Certificate or	f <u>Facsimile</u>	☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)						
	Continued P	rosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request						
	Declaration 8	RPOA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter						
	Drawings: _	sheets, figures	Response to Written Opinion (pgs)						
	Extension of	Time:	☐ Terminal Disclaimer						
	Fee Transmi	ttal (in duplicate)	☐ Transmittal of Publication Fee Due						
	IDS & PTO/S	SB/08 (pgs)	▼ Transmittal Letter						
	Other								
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A) I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.									
		Nely Cald Nedy Calderon	Lewn_ 09/13/2004						
		Nedy Calderon	Date						

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TDANG	SMITTAL F		Application No.	09/475,768					
1			Filing Date	December 30, 1999					
(to be used for all	l correspondence al	ter initial filing)	First Named Inventor	Pinaki Ray					
			Art Unit	3763					
			Examiner Name	Williams, Catherine Serke					
Total Number of	Pages in This Submissi	on 5	Attorney Docket Number	3764P002					
	ENCLO	SURES (chec	k all that apply)						
Fee Transmittal	Form	Drawing(s)		After Allowance Communication to Group					
Fee Attac	hed	Licensing-re	elated Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment/Re	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Repty Brief)					
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Extension of Time	ne Request	Power of All Change of 0	torney, Revocation Correspondence Address	Status Letter Other Enclosure(s) (please identify below):					
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Information Disc	losure Statement	Request for	Refund						
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Certified Copy of Document(s)	f Priority								
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1.52 or 1.4	ler 37 CFR 53 								
	SIGNATUR	E OF APPLICAN	IT, ATTORNEY, OR AG	ENT					
Firm	William Thom	as Babbitt, Re	g. No. 39,591						
or Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP									
Signature	Willy								
Date 9/13/04									
	CERTIF	CATE OF MAIL	NG/TRANSMISSION						
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Typed or printed na	ame Nedy Calder	no.							
Éignature	nady	Caldeer		mio 9/13/04					
Acced on PTO/SB/21 (04-04) as modified by Blakely, Solution, Tsylor & Zefman (wir) 06/04/2004, END TO: Commissioner for Parents, P.O. Box 1450, Alexandria, VA 22313-1450									

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FÉE TRANSMITTAL for FY 2004			Application Number 09/475,768						
Í					<u>cember 30.</u>	1999			
Effective		First Named Inventor			Pin	Pinaki Ray			
Applican		Examiner Name				Williams, Catherine			
			Art Unit				3763		
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SUBMITTED BY Complete (if applical									
Name (Prin∕Type	William Thomas Babbitt	ا ا	Registration No.			39,591		(310) 20	7-3800
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Signature					Date	7//3/	<u>~</u>		
Based on PTO/SD17 (10-03) is modified by Blakely, Soloxoff, Taylor & Zalfren (wir) 02/10/2004.									

FEE TRANSMITTAL		Complete if Known					
		Application	n Nun	nber	09/475,768		
for FY 2004	l	Filing Date Dec			December 30, 1999		
Effective 10/01/2004. Patent less are subject to annual revision.		First Named Inventor Pin			Pinaki Ray		
Applicant claims small entity status. See 37 CFR 1.27.		Examiner Name Williams, Cath			Williams, Catherine		
TOTAL AMOUNT OF PAYMENT (\$) 0	^^	Art Unit			3763		
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	"-"				Examiner action		
Charge any additional fee(s) or underpayment of fees as required under 37 GFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action		
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FEE CALCULATION	1251		2251	55 210			
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1. BASIC FILING FEE Large Entity Small Entity	1253		2253	740			
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1002 340 2002 170 Design filing fee	1400		2403	145			
1003 530 2003 265 Ptant filing fee 1004 770 2004 385 Reissue filing fee	1451		2451	1,510			
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SUBTOTAL (1) (\$)	1501		2501	666	Utility Issue fee (or relsaue)		
2. EXTRA CLAIM FEES EXTRA Fee from	1502		2502	240			
Claims below FacePaid	1503	640	2503	320	Plant issue fee		
Total Claims 30 47 = 0 x 18.00 = \$0.00	1480	130	2460	130	Petitions to the Commissioner		
Independent 2 4" 0 x 86.00 * \$0.00	1807	50	1807	50	Prosessing fee under 37 CFR 1.17(q)		
Multiple Dependent	1806	180	1806	180	Submission of Information Disclosure Strnt		
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1202 18 2202 9 Claims in excess of 20	1800	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1201 98 2201 43 Independent claims in excess of 3	1810	770	2810	385			
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SUBMITTED BY Complete (if applicable)							
Name (Pmn/Type) William Thomas Babbitt	Régistration No. (Attorney/Agent)		3	39,591 Telephone (310) 207-3800			
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Signature Millian / Salva				Date 9//3/0/-			
Second on PTO/S8/17 (10-03) as modified by Blakely, Solokoff, Yaylor & Zetman (wir) 02/10/2004, SEND TO: Commissioner for Palents, P.O. Box 1450, Alexandria, VA 22313-1450							

BSTZ No. 003764.P002 Guidant No. 15980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Pinaki Ray

Application No.: 09/475,768

Filed: December 30, 1999

For: CONDUIT SYSTEM FOR ISOLATION OF

FLUIDS IN BIOLOGICAL TISSUES

Examiner: Williams, Catherine Serke

Art Unit: 3763

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RESPONSE TO INTERVIEW SUMMARY

In response to the Interview Summary mailed August 25, 2004, Applicant respectfully requests entry of the following remarks.

REMARKS

Applicant thanks the Patent Office for the interview held on August 11, 2004. During the interview, the pending claims were discussed in view of U.S. Patent No. 4,192,302 and U.S. Patent No. 4,540,402 (collectively "the cited art"). The undersigned believed the cited art taught open chest cavity procedures and devices to be used in such procedures. Agreement as to whether the claims were allowable over the cited art or as to possible claim amendment(s) was not reached.

Respectfully submitted,

Date: 9/13/04

William Thomas Babbitt, Reg. No. 39,591

12400 Wilshire Boulevard Seventh Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nedy Calderon

Date